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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventieth year

Identical letters dated 17 April 2015 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I have the honour to transmit herewith an unofficial translation of a report of the State of Palestine Ministry of Detainees and Ex-Detainees Affairs' Commission of Palestinian Prisoners and Detainees in Israeli Prisons, on the occasion of Palestinian Prisoners' Day (see annex), which is commemorated by the State of Palestine annually on 17 April. The report briefly reflects the tragic reality of the thousands of Palestinian men, women and children who have been living under the Israeli occupation for nearly 50 years and have been subjected to arrest, detention and grave abuses at the hands of the occupying Power. The threat of arbitrary detention and imprisonment is constant and consistent, as is evident in this report, and the impact on the Palestinian people and society has been devastating.

The Government of the State of Palestine continues to call for an end to the arrest and detention of Palestinian civilians and an end to their abuse and torture in captivity. We also call again for the release of all Palestinians illegally imprisoned and detained by Israel, the occupying Power, and continue to call for an end to the illegal Israeli occupation of the State of Palestine, including East Jerusalem.

The present letter is in follow-up to our 540 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 25 March 2015 (A/ES-10/676-S/2015/213), constitute a basic record of the crimes being committed against the Palestinian people. Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine to the United Nations

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Annex to the identical letters dated 17 April 2015 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

Report on conditions of the Palestinian prisoners and detainees in Israeli occupation prisons on the occasion of Palestinian Prisoners' Day, 17 April

- Since the start of the Israeli occupation in 1967, the overall number of prisoners and detainees held captive in the Israeli prisons has exceeded 850,000 Palestinian civilians, including 15,000 women and tens of thousands of children, in grave violation of the relevant provisions of the Geneva Conventions.
- Since 2000, more than 85,000 cases of administrative detention have been registered, among them more than 10,000 children, approximately 1,200 women, more than 65 elected members of the Palestinian Legislative Council and former ministers. Israel's arbitrary detention practices target all members of Palestinian society: children, youth, the elderly, women, mothers, spouses, the sick, the disabled, academics, lawmakers, ministers, union leaders, students, writers and artists.
- More than 6,500 Palestinians are currently imprisoned or detained in 22 Israeli occupation prisons in Israel and the Occupied West Bank; among these are 478 persons who have been sentenced to life imprisonment once or multiple times; 21 women, including two girls; 200 children under the age of 18; 480 persons held in administrative detention; 16 elected members of the Palestinian Legislative Council; and 1,500 persons who are sick or suffering from serious illnesses.
- 30 persons have been detained since before the conclusion of the Oslo Accords, who have spent more than 20 years in Israeli prisons; 16 have spent more than 25 years in jail; 85 prisoners who were released in the Shalit prisoner exchange deal have been detained once again; 63 of them had already spent 20 years in Israeli jails.

Conditions of arrest and detention

- Upon arrest, prisoners and detainees endure physical abuse and humiliation in violation of international humanitarian and human rights law. They are not informed of the reason of their arrest or destination.
- During interrogation and investigation, they are routinely exposed to physical torture and psychological intimidation. They endure beatings, solitary confinement, denial of family visits, confiscation of possessions, provocative inspection, deprivation of necessary medical care or education and unsanitary conditions of captivity.
- 206 Palestinian prisoners and detainees died in Israeli jails as a result of cruel treatment and harsh conditions; 71 died as a result of torture; 54 died due to medical negligence; 74 were assassinated after detention; and 7 died as a result of direct shooting by soldiers and guards inside jail.

Child detainees

- During the past four years, Palestinian children have been increasingly targeted by Israeli detention. More than 200 children were detained in the first quarter of 2015.
- Palestinian children are abducted under terrifying conditions, most often in the darkness of night, by the Israeli occupying forces. They are denied basic human rights, sentenced and convicted, fined and confined to their homes; and 95 per cent of children released from Israeli jails reported suffering from torture and ill treatment during interrogation and detention.
- Child detainees are tried before a military court.

Woman detainees

- Palestinian female detainees, including pregnant women, experience physical torture, threats and intimidation during interrogation and investigation.
- 7 of the women currently imprisoned are deprived of visits and communications with their spouses or brothers who are jailed in other Israeli prisons.

Sick detainees

- More than 1,500 Palestinian prisoners and detainees, including dozens who are disabled, in Israeli prisons suffer from various physical and mental illnesses due to ill treatment, poor health care and medical negligence.
- 16 of the sick are being permanently held in the so-called Ramleh hospital prison; they are suffering from serious illnesses and are in need of urgent surgeries; 25 are suffering from cancer and are deprived of necessary medical care.

Administrative detention

- 480 detainees are being held in administrative detention without charge or trial, based on the "secret file provided by the occupation intelligence agency". Detainees and their lawyers do not have the right to self-defence. The period of administrative detention ranges from one month to six months and can be renewed an indefinite number of times, as in the case of numerous Palestinians who have been detained for years in prison without trial or charge.

Israeli occupation courts and international law

- Israel, the occupying Power, respects neither the Third Geneva Convention nor the Fourth Geneva Convention, with regard to its treatment of Palestinian prisoners and detainees. It treats them as terrorists and criminals and imposes its internal military law on them.
- The "Israeli High Court of Justice" rejected thousands of complaints filed on behalf of the Palestinian prisoners and detainees who suffered torture in the occupation jails. These laws unlawfully delegitimize the Palestinian people's right to struggle against the Israeli occupation, a right that is enshrined in relevant United Nations resolutions.

- During 2014, the occupying Power issued new "legislations" and arbitrary measures against Palestinian prisoners and detainees; for example, forced feeding during hunger strikes; increasing the punishment for children up to 20 years of imprisonment; denial of secondary and higher education; the illegal fighter law; torture; and the imposition of unaffordable fines on prisoners.

- Contrary to the Fourth Geneva Convention, the occupying Power keeps Palestinian detainees in prisons inside Israel, hinders family visits and imposes individual and collective punishment. Hundreds of detainees and prisoners are deprived of books, visits and the provision of clothes and blankets during cold seasons.

- The State of Palestine has joined many international conventions and treaties, including the four Geneva Conventions and the Rome Statute of the International Criminal Court. It has called on the High Contracting Parties to the Geneva Conventions to act collectively to compel Israel, the occupying Power, to respect international humanitarian and human rights law in the Occupied Palestinian Territory and on the issue of the Palestinian prisoners and detainees. Israel cannot remain a State above the law and must be held accountable for all its violations and crimes against Palestinian prisoners and detainees.

- The issue of Palestinian prisoners and detainees remains of great importance to the Palestinian people and leadership as an issue of legitimate struggle for freedom, dignity and self-determination, and thus the release of prisoners and detainees must be included in any political settlement to the conflict.

On the occasion of Palestinian Prisoners' Day, the Commission of Palestinian Prisoners and Detainees in Israeli Prisons:

– *Calls* for broad public mobilization to mark this national day in support of the Palestinian prisoners and detainees' rights to freedom and dignity;

– *Calls upon* the High Contracting Parties to the Geneva Conventions to act to compel Israel, the occupying Power, to respect international humanitarian and human rights laws in the Occupied Palestinian Territory, including East Jerusalem, including with regard to the issue of the Palestinian prisoners and detainees;

– *Calls upon* the relevant international bodies to bear their legal and moral responsibilities to ensure respect for Palestinian detainees and prisoners' rights under international humanitarian and human rights law;

– *Calls upon* the International Committee of the Red Cross to fulfil its legal obligations and moral responsibilities towards the issue of the Palestinian prisoners and detainees, particularly the sick;

– *Urges* referral of the issue of prisoners and detainees to the International Criminal Court to hold Israeli officials accountable for all the crimes and violations of the rights of the Palestinian prisoners and detainees;

– *Calls upon* the League of Arab States to take necessary measures to follow up its resolutions concerning the rights of the Palestinian prisoners and detainees with all relevant State parties and international bodies;

– *Calls upon* the Government of the State of Palestine and all civil society organizations to support the rights and promote the issue of Palestinian prisoners and detainees at all regional and international levels, and to help them and their families live in dignity.

– The Commission salutes all hero prisoners and detainees, men and women, who are languishing in Israeli prisons, and salutes their families and all the noble and free men who support the question of justice and freedom in Palestine.